

**Spencer Town Council Regular Meeting
June 18, 2012 at 7p.m.
Municipal Building
90 N. West Street
Spencer, IN 47460**

Board Members present: Cynthia Hyde, John Stantz and Dean Bruce.

Also present: Clerk-Treasurer Cheryl Moke, Town Attorney Richard Lorenz, Town Marshal Richard Foutch, Sewage Dept. Supt. Shelley Edwards, Street Dept. Supt. Larry Parrish, Michael Stanley, and James Baughn

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF APPROVAL OF MINUTES FOR June 4, 2012 REGULAR MEETING

Jon Stantz made a motion to accept the minutes as submitted, seconded by Dean Bruce and the motion passed 3-0.

IN THE MATTER OF PUBLIC ISSUES

The request for a petition submitted By Tom and Valarie Gillaspay for vacation of an alley for review by the Town Board was once more up for discussion. John Fuhs, representing the Gillaspay's, requested that Board Member Jon Stantz recuse himself and abstains from voting. The reasons given were; Mr. Stantz was the contractor for the Miami Tans addition, and the fact that his wife works for Mr. Hammond. Mr. Stantz stated that he had no monetary gain either way, and he would be voting. Mr. Fuhs continued by placing into evidence certain exhibits (copies of deeds, picture of maps designating the area in question) for the record. Mr. Fuhs stated that at a previous meeting, Ms. Hyde wished to speak to someone from the Owen Valley Fire Territory. Mr. Fuhs stated he contacted John Wallace, Fire Chief, and he looked at the area and said there would be no problem with the vacation, so long as the area had a gate that could be opened in emergencies. The Gillaspay's stated that was part of their proposal. Discussion followed about what an aggrieved party was. Mr. Lorenz stated that since the public owned the alley, it was up to the Town Board to determine if there is justification or valid reasons for the closing of the alley. Ms. Hyde next asked if the gas company felt secure in knowing they had access to that area. Ms. Gillaspay stated that she spoke to Mr. Herrington, with Community Gas, and he stated he had no issue with the vacation if he had access, via a gate. Ms. Hyde asked Shelley Edwards if he personally spoke with Mr. Herrington, and he stated he did not. Discussion continued around the use of the alley. Mr. Lorenz stated that the principal question was what the Board wants to do with the alley, taking into consideration the future use of the area. Mr. Fuhs concluded his presentation with the request that the petition be granted based on the fact that the Gillaspay's own all adjoining property to that section, and that Mr. Hammond has three different ways to access his property.

Jon Stantz made a motion to deny the petition to vacate the alley brought by Tom and Valarie Gillaspay. The motion was seconded by Cynthia Hyde, and passed 2-1, with Dean Bruce voting against the motion.

After the vote, Jon Stantz left the meeting due to a family illness.

Next, Deb Jordan with the Owen County Preservations presented a sign showing support for the Tivoli restoration project and requested that anyone involved in making this project a reality, please sign.

Next Les Jordan requested the Town Board sign a letter to the Indiana Gaming Commission, authorizing Owen County Preservations to use Cooper Park for the annual River Front Festival and to include such events as the Water Race in support of said festival to be held on the fourth weekend of August. The letter was signed by Cynthia Hyde.

Steven Toth requested a loading zone in front of his business, Cars-R-Us, on S. Main Street. Mr. Parrish checked out the area, and said the requested space worked out since there was a missing meter there already.

Dean Bruce made a motion that the Town Board designates the parking space located adjacent to the existing loading zone on Main Street as described by Larry Parrish. The motion was seconded by Cynthia Hyde, and passed 2-0.

IN THE MATTER OF THE POLICE DEPARTMENT

Marshal Foutch reported that the next Drug Take Back Day is scheduled for September 29th. He also requested that the officers be allowed to wear printed T-shirts at the fair this year. The Board agreed that it was a good idea.

IN THE MATTER OF THE STREET DEPARTMENT

Superintendent Parrish updated the Board on the clean-up progress at the abandoned house located at 40 W. Clay. He reported that a fire hydrant was being installed at Cooper Park for Parks & Rec. Mr. Lorenz asked about the request for a handicap parking space on Harrison Street, and Mr. Parrish said he would take care of it tomorrow. Next, Mr. Bruce asked about the possibility of placing a stop sign at the alley in question, earlier in the meeting. Mr. Parrish said he would look into it.

IN THE MATTER OF THE SEWER DEPARTMENT

Shelly Edwards updated the Board on the maintenance located at Garden Circle. He also updated the Board on outstanding maintenance issues at the plant.

IN THE MATTER OF THE BUILDING DEPARTMENT

No report.

IN THE MATTER OF THE FIRE TERRITORY

Cynthia Hyde reported that Dale Bush has resigned his position on the Fire Territory Board. The Fire Board is considering a replacement, and a recommendation will be made when they can verify it.

IN THE MATTER OF THE ATTORNEY

Nothing additional to report.

IN THE MATTER OF OLD BUSINESS

Cynthia Hyde will look into ordering plaques for the employees with 30 years of service. She said the Town will honor those employees on July 16th. The recognition will take place at 6:00pm before the regular town meeting.

IN THE MATTER OF NEW BUSINESS

No new business.

IN THE MATTER OF CLAIMS

Dean Bruce made a motion to accept the claims as presented. The motion was seconded by Cynthia Hyde, and passed 2-0.

IN THE MATTER OF ADJOURNMENT

Dean Bruce motioned to adjourn at 8:10 p.m. seconded by Cynthia Hyde and the motion passed 2-0.

_____	_____	_____
Cynthia Hyde, President	Jon Stantz, Vice-President	Dean Bruce, Board Member

Attest: _____
Cheryl Moke, Clerk-Treasurer